

# Charles P. Reisman

Attorney At Law  
29777 Telegraph, Suite 2500  
Southfield, Michigan 48034  
(248) 258-5595

August 25, 2005

Michigan Supreme Court  
Clerk's Office  
925 West Ottawa  
P.O. Box 30052  
Lansing, MI 48909

Re: ADM File 2003-04

Dear Clerk of Court

I realize that date has passed on commentary for the above rule but I just received the enclosed appointment, which clearly demonstrates the problem of reducing the time to file a post conviction motion from 12 months to 6 months from the date of sentence.

Please note that on the order of appointment, it says the defendant was sentenced on April 5, 2005. However, the date of my appointment is August 18, 2005. The postmark on the letter sending me the order is August 19, 2005 and it reached me a couple days later. Under the new rules I would have to file something in a couple of weeks without the transcripts or court file. That is impossible.

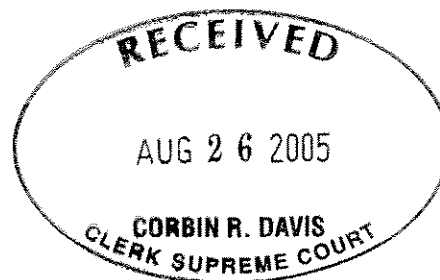
Usually, when someone does want to appeal a plea, it involves off record issues. I have already had two cases where clients had on their presentence report crimes that they did not commit. I also had instances where I have to contact witnesses involving why a plea was not voluntary and have had to obtain statements. All of this takes time.

The proposed rule would make it difficult to do our work. Please reconsider it.

Sincerely,



Charles P. Reisman



**STATE OF MICHIGAN**  
6th JUDICIAL CIRCUIT  
OAKLAND COUNTY

**ORDER REGARDING APPOINTMENT OF  
APPELLATE COUNSEL AND TRANSCRIPT**

**CASE NO. AND SUFFIX**  
2005-200760 FH

Court Address  
1200 N. TELEGRAPH, DEPT. 404 PONTIAC, MI 48341

Court Telephone No  
248-858-0374

**People of THE STATE OF MICHIGAN**

v

Defendant Name, Last First Middle  
RATLIFF DUORAIL LEGENE

Date of Birth, Address, and inmate number (if known) 01-22-1966  
GUS HARRISON CORRECTIONAL FACILITY  
2727 E. BEECHER P.O. BOX 1888 201129  
ADRIAN MI 49221

Offense Information				Terms of Incarceration										Intermediate Sanctions									
Description	PACC Code	H	C	A	S	Y	M	D	Y	M	D	K	P	J	Y	M	D	R	F	O			
CONT SUB/DEL/MFG/NARC./COCAINE/ <50	333.74012A4	3				3			40					X									
OFFICER-R&O CAUSE INJURY	750.81D2	3				3			8					X									
MAL. DESTRUCTION/FIRE/POLICE PROPE	750.377B	3				3			8					X									
POLICE OFFICER/ASSAULT/RESIST/OBST	750.81D1	3				1			4					X									
WEAPONS/CARRYING CONCEALED	750.227	3				3			10					X									

H=Habitual C=Conspiracy A=Attempt S=Solicitation Y=Year M=Month D=Day K=Consecutive P=Prison J=Jail R=Restitution F=Fine O=Other

On 08-12-2005 the defendant filed a request for appointment of counsel and a declaration of indigency.

CHARLES REISMAN  
Name of Appellate Counsel

29777 TELEGRAPH SUITE 2500  
Address

SOUTHFIELD, MI 48034  
City, State, Zip

248 258 5595  
Telephone No.

27595  
Bar No.

is appointed counsel for the defendant in post-conviction proceedings. If appointed counsel cannot or will not accept this appointment, he/she shall notify the court immediately. Copies of the final judgment or order being appealed and docket entries are attached for appointed counsel and Michigan Appellate Assigned Counsel System (MAACS).

The court reporter(s)/recorder(s) shall file with the trial court clerk the transcripts checked below and any other transcripts requested by counsel in this case not previously transcribed. Transcripts shall be filed within 28 days for pleas or 91 days for trials from the date ordered or requested [MCR 7.210(B)]. Reporter(s)/recorder(s) shall be paid as provided by law.

TRANSCRIPTS ORDERED	REPORTER/RECORDER NAME	OTHER DESCRIPTION	NUMBER	DATE(S) OF PROCEEDING
SENTENCE	KATHLEEN MILAM			04-05-2005
PLEA	KATHLEEN MILAM			03-15-2005

The clerk shall immediately send to counsel a copy of the transcripts ordered above or requested by counsel as they become available. The clerk shall also forward documents upon request by counsel [MCR 6.433]

8-18-05

Date

*Nanci J. Grant*

NANCI J. GRANT  
Judge

42865  
Bar No.

**CERTIFICATE OF MAILING**

I certify that on this date I mailed a copy of this order appointing counsel to appointed counsel, defendant, court reporter(s)/recorder(s), prosecutor, and MAACS. I also mailed a copy of the final judgment or order being appealed and the docket entries to appointed counsel and MAACS. I also mailed a copy of the defendant's request for appointment of counsel to appointed counsel, the prosecutor, and MAACS.

8-18-05

Date

Signature